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Total Number of Pages in This Submission	3	Attorney Docket Number	4686-121.2 US
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MATHEWS, SHEPHERD, McKAY & BRUNEAU, P.A.		
Signature			
Printed name	CYNTHIA SOUMOFF		
Date	February 11, 2008	Reg. No.	38,314

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	CYNTHIA SOUMOFF	Date	February 11, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Docket No. 4686-121.2 US

The undersigned certifies that this communication is being deposited with the United States Postal Service as prepaid first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 11, 2008.

Cynthia Seumerl
Cynthia Seumerl

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
SHEFER et al.

Serial No. 10/791,989

Filed: March 3, 2004

Title: ORAL CONTROLLED RELEASE
SYSTEM FOR TARGETED DRUG DELIVERY
INTO THE CELL AND ITS NUCLEUS FOR
GENE THERAPY, DNA VACCINATION, AND
ADMINISTRATION OF GENE BASED DRUGS

: Customer No.
: 26817
: Group Art Unit: 1633
: Examiner: Janet L. EPPS FORD
: Confirmation No. 4876
: X

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In an Office Action mailed January 22, 2008, the Examiner stated that Applicant's Response filed on 10/25/2007 was not fully responsive because of the omission of a listing of claims that read on the elected species.

Applicant elected Group I, claims 1-44, drawn to a controlled release composition. The Examiner also indicated that the application contains claims directed to patentably distinct species which fall within the category of: different pH sensitive materials, different moisture

sensitive material and different components of the nano-spheres. Applicant elected for the pH sensitive material: acrylic acid and acrylic ester copolymers from claim 7, for the water sensitive material: polysaccharide from claim 10, and for the one component of the nano-sphere: candelilla wax from claim 16.

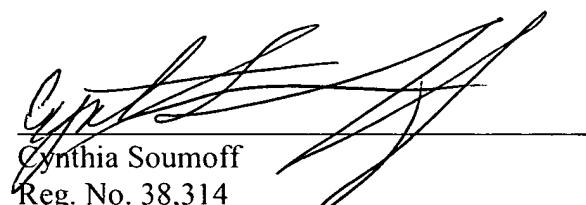
Generic claims are: 1-5, 8-9, 11, 13-15, 25-44.

Claims reading on the elected species are: 6, 7, 10, 12, 16, and 24.

A prompt action on the merits is earnestly solicited. The Examiner is invited to telephone the undersigned should he believe this would expedite prosecution of this application. It is believed no fee is required. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,

Dated: February 11, 2008



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